

PTO/SB/21 (08-03)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/642,807	
	Filing Date	August 15, 2003	
	First Named Inventor	Jason LEWIS	
	Art Unit	1623	
	Examiner Name	Not Yet Assigned	
Total Number of Pages in This Submission	8 pages + 9 references	Attorney Docket Number	342312004900

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	• Form PTO-1449 (original + 1 copy (4 pages total))
<input checked="" type="checkbox"/> Information Disclosure Statement (3 pages)	<input type="checkbox"/> CD, Number of CD(s) _____	• 9 References
<input type="checkbox"/> Certified Copy of Priority Document(s)		• Return Receipt Postcard
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	MORRISON & FOERSTER LLP (Customer No. 25226) Nicholas S. Buffinger - 39,124
Signature	
Date	March 3, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

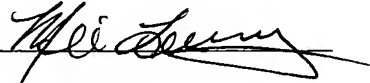
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PATENT  
Docket No. 342312004900

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Mei Leung

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Jason LEWIS et al.

Serial No.: 10/642,807

Filing Date: August 15, 2003

For: LINCOMYCIN DERIVATIVES  
POSSESSING ANTIBACTERIAL  
ACTIVITY

Examiner: Not Yet Assigned

Group Art Unit: 1623

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of \_\_\_ is enclosed.
  - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of \_\_\_ is enclosed.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)


Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

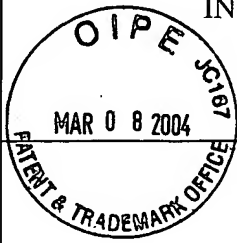
In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. §1.17(p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **342312004900**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: March 3, 2004

Respectfully submitted,

By:   
\_\_\_\_\_  
Nicholas S. Buffinger  
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Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION 	Docket Number 342312004900	Application Number 10/642,807
	Applicant Jason LEWIS et al.	
	Filing Date August 15, 2003	Group Art Unit 1623
	Mailing Date March 3, 2004	

## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	04/23/1963	3,086,912	Bergy et al.			
	2.	10/28/1969	3,475,407	Birkenmeyer			
	3.	02/17/1970	3,496,163	Birkenmeyer et al.			
	4.	03/24/1970	3,502,648	Birkenmeyer et al.			
	5.	04/28/1970	3,509,127	Kagan et al.			
	6.	12/01/1970	3,544,551	Kagan et al.			
	7.	06/20/1972	3,671,647	Argoudelis et al.			
	8.	07/04/1972	3,674,647	Visser			
	9.	09/19/1972	3,692,767	Magerlein			
	10.	01/30/1973	3,714,141	Shephard			
	11.	02/06/1973	3,715,346	Magerlein			
	12.	10/09/1973	3,764,672	Argoudelis et al.			
	13.	01/22/1974	3,787,390	Birkenmeyer			
	14.	09/03/1974	3,833,475	Reusser et al.			
	15.	11/19/1974	3,849,396	Birkenmeyer et al.			
	16.	12/10/1974	3,853,843	Morozwich			
	17.	03/11/1975	3,870,699	Bannister			
	18.	10/28/1975	3,915,954	Bannister			
	19.	06/21/1977	4,031,304	Bannister			
	20.	02/28/1978	Re 29,558	Bannister			
	21.	06/02/1981	4,271,266	Bergy et al			
	22.	07/14/1981	4,278,789	Birkenmeyer			
	23.	01/05/1982	4,309,533	Birkenmeyer			
	24.	01/12/1982	4,310,660	Birkenmeyer			
	25.	03/02/1982	4,317,903	Hofstetter			
	26.	05/10/1983	4,383,109	Argoudelis et al.			

EXAMINER:

DATE CONSIDERED:

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<b>Form PTO-1449</b>  <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>	Docket Number 342312004900	Application Number 10/642,807
	Applicant  Jason LEWIS et al.	
	Filing Date August 15, 2003	Group Art Unit 1623
	Mailing Date March 3, 2004	

	27.	02/07/1984	4,430,495	Patt et al.			
	28.	08/07/1984	4,464,466	Argoudelis et al.			
	29.	02/04/1986	4,568,741	Livingston			
	30.	12/01/1987	4,710,565	Livingston et al.			

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO	
	31.	12/16/1999	WO 99/63937	WIPO				

## OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	32.	Baldwin, J. E. et al. (1989). "Amino Acid Synthesis Using (L)-Pyroglutamic Acid As A Chiral Starting Material," <i>Tetrahedron</i> . 45(23):7459-7468.
	33.	Birkenmeyer, R. D. et al. (1984). "Synthesis and Antimicrobial Activity of Clindamycin Analogues: A Potent Antibacterial Agent," <i>Journal of Medicinal Chemistry</i> 27(2):216-223.
	34.	Demange, L. et al. (1998). "Practical Synthesis of the Boc and Fmoc Protected 4-Fluoro and 4-Difluoroproline from <i>Trans</i> -4-Hydroxyproline," <i>Tetrahedron Letters</i> 39:1169-1172.
	35.	Goldstein, B. P. et al. (1995). "Antimicrobial Activity of MDL 63,246, a New Semisynthetic Glycopeptide Antibiotic," <i>Antimicrob. Agents &amp; Chemother.</i> 39(7):1580-1588.
	36.	Magerlein, B. J. (1972). "Lincomycin. 14. An Improved Synthesis and Resolution of the Antimalarial Agent, 1'-Demethyl-4'-Depropyle-4'(R)-(S)-Pentacyclindamycin Hydrochloride (U-24, 729A)," <i>Journal of Medicinal Chemistry</i> 15(12):1255-1259.
	37.	Schroeder, W. et al. (1967). "Lincomycin. III The Structure and Stereochemistry of the Carbohydrate Moiety," <i>Journal of the American Chemical Society</i> 89(10):2448-2453.
	38.	Shuman, R. T. et al. (1990). "An Improved Synthesis of Homoproline and Derivatives," <i>Journal of Organic Chemistry</i> 55:738-741.
	39.	Zhang, R. et al. (1998). "Pseudo -A(1,3) Strain as a Key Conformational Control Element in the Design of Poly-L-Proline Type II Peptide Mimics," <i>J. Am. Chem. Soc.</i> 120(16):3894-3902.

EXAMINER:	DATE CONSIDERED:
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